



Senate

General Assembly

File No. 438

January Session, 2017

Substitute Senate Bill No. 850

Senate, April 5, 2017

The Committee on Transportation reported through SEN. LEONE of the 27th Dist. and SEN. BOUCHER of the 26th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING RECOMMENDATIONS BY THE
DEPARTMENT OF MOTOR VEHICLES REGARDING INSURANCE
POLICIES FOR CERTAIN VEHICLES, YOUTH INSTRUCTION
PERMITS, OPERATOR LICENSES, COMMERCIAL MOTOR VEHICLE
OPERATION, ADMINISTRATIVE FEES, DIVERSION PROGRAM,
STUDENT TRANSPORTATION VEHICLES AND OTHER CHANGES TO
THE MOTOR VEHICLE STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Section 14-29 of the general statutes is repealed and the
- 2 following is substituted in lieu thereof (*Effective October 1, 2017*):
- 3 (a) The commissioner shall not register any motor bus, taxicab,
- 4 school bus, motor vehicle in livery service, student transportation
- 5 vehicle or service bus and no person may operate or cause to be
- 6 operated upon any public highway any such motor vehicle until the
- 7 owner or lessee thereof has procured insurance or a bond satisfactory
- 8 to the commissioner, which insurance or bond shall indemnify the
- 9 insured against any legal liability for personal injury, the death of any

10 person or property damage, which injury, death or damage may result
11 from or have been caused by the use or operation of such motor
12 vehicle described in the contract of insurance or such bond. Such
13 insurance or bond shall not be required from (1) a municipality which
14 the commissioner finds has maintained sufficient financial
15 responsibility to meet legal liability for personal injury, death or
16 damage resulting from or caused by the use or operation of a service
17 bus owned or operated by such municipality, or (2) the owner or lessee
18 of such class of motor vehicle who holds a certificate of public
19 necessity and convenience from the Department of Transportation if
20 such owner or lessee has procured from the department a certificate
21 that the department has found that such owner or lessee is of sufficient
22 financial responsibility to meet legal liability for personal injury, death
23 or property damage resulting from or caused by the use or operation
24 of such motor vehicle. The Department of Transportation may issue
25 such certificate upon presentation of evidence of financial
26 responsibility that is satisfactory to it.

27 (b) (1) The amount of insurance or of such bond which each such
28 vehicle owner or lessee shall carry as insurance or indemnity against
29 claims for personal injury or death shall be not less than (A) fifty
30 thousand dollars for one person subject to that limit per person; (B) for
31 all persons in any one accident where the carrying capacity is seven
32 passengers or less, one hundred thousand dollars; (C) eight to twelve
33 passengers, inclusive, one hundred fifty thousand dollars; (D) thirteen
34 to twenty passengers, inclusive, two hundred thousand dollars; (E)
35 twenty-one to thirty passengers, inclusive, two hundred fifty thousand
36 dollars; and (F) thirty-one passengers or more, three hundred
37 thousand dollars; and such policy or such bond shall indemnify the
38 insured against legal liability resulting from damage to the property of
39 passengers or of others to the amount of ten thousand dollars.

40 (2) In lieu of the foregoing, a single limit of liability shall be allowed
41 as insurance or indemnity against claims for personal injury or death
42 and legal liability resulting from damage to the property of passengers
43 or of others for any one accident (A) where the carrying capacity is

44 seven passengers or less, not less than one hundred thousand dollars;
45 (B) eight to twelve passengers, inclusive, not less than one hundred
46 fifty thousand dollars; (C) thirteen to twenty passengers, inclusive, not
47 less than two hundred thousand dollars; (D) twenty-one to thirty
48 passengers, inclusive, not less than two hundred fifty thousand
49 dollars; and (E) thirty-one passengers or more, not less than three
50 hundred thousand dollars. The provisions of this subsection shall not
51 apply to (i) a municipality which the commissioner has found to have
52 sufficient financial responsibility to meet legal liability for damages as
53 provided in subsection (a) of this section or (ii) the owner or lessees of
54 any such motor vehicle holding a certificate of public convenience and
55 necessity issued by the Department of Transportation whom the
56 department has found to be of sufficient financial responsibility to
57 meet legal liability for damages as provided in subsection (a).

58 (c) (1) Any person or company issuing any such insurance or
59 indemnity bond shall file with the Commissioner of Motor Vehicles a
60 certificate in such form as [he] the commissioner prescribes, and no
61 such insurance or bond shall lapse, expire or be cancelled while the
62 registration is in force until the commissioner has been given at least
63 ten days' written notice of an intention to cancel and until [he] the
64 commissioner has accepted other insurance or another indemnity bond
65 and has notified the person or company seeking to cancel such
66 insurance or bond that such other insurance or bond has been accepted
67 or until the registration of such motor vehicle described in such
68 insurance policy or bond has been suspended or cancelled.

69 (2) No person or company issuing any such insurance or indemnity
70 bond shall issue an insurance policy or indemnity bond for a motor
71 vehicle specified in subsection (a) of this section for limits less than
72 those specified in subsection (b) or (f) of this section. Upon initial
73 registration or renewal of any such motor vehicle, the commissioner
74 may presume that an insurance policy or indemnity bond meets the
75 minimum amounts specified in said subsection (b) or (f) for such
76 vehicle.

77 (d) Any person injured in person or property by any such motor
78 vehicle may apply to the commissioner for the name and description of
79 the insurer of the vehicle causing such injury or the name of the surety
80 upon any indemnity bond of any such owner or the name of the holder
81 of a certificate of financial responsibility.

82 (e) Any person who violates any provision of this section shall be
83 fined not more than five hundred dollars or imprisoned not more than
84 one year or both.

85 (f) Notwithstanding the provisions of this section, any person,
86 association or corporation operating a motor vehicle in livery service
87 under the provisions of sections 13b-101 to 13b-109, inclusive, shall
88 carry insurance or indemnity against claims for personal injury or
89 death and legal liability resulting from damage to the property of
90 passengers or of others for any one accident in an amount not less than
91 one million five hundred thousand dollars for vehicles with a seating
92 capacity of fourteen passengers or less and five million dollars for
93 vehicles with a seating capacity of fifteen passengers or more.

94 Sec. 2. Subsection (c) of section 14-36 of the general statutes is
95 repealed and the following is substituted in lieu thereof (*Effective from*
96 *passage*):

97 (c) (1) A person who is sixteen or seventeen years of age and who
98 has not had a motor vehicle operator's license or right to operate a
99 motor vehicle in this state suspended or revoked may apply to the
100 Commissioner of Motor Vehicles for a youth instruction permit. The
101 commissioner may issue a youth instruction permit to an applicant
102 after the applicant has passed a vision screening and test as to
103 knowledge of the laws concerning motor vehicles and the rules of the
104 road, has paid the fee required by subsection (v) of section 14-49 and
105 has filed a certificate, in such form as the commissioner prescribes,
106 requesting or consenting to the issuance of the youth instruction
107 permit and the motor vehicle operator's license, signed by (A) one or
108 both parents or foster parents of the applicant, as the commissioner
109 requires, (B) the legal guardian of the applicant, (C) the applicant's

110 spouse, if the spouse is eighteen years of age or older, or (D) if the
111 applicant has no qualified spouse and such applicant's parent or foster
112 parent or legal guardian is deceased, incapable, domiciled [without
113 the] outside of this state or otherwise unavailable or unable to sign or
114 file the certificate, the applicant's stepparent, grandparent, or uncle or
115 aunt by blood or marriage, provided such person is eighteen years of
116 age or older. The commissioner may, for the more efficient
117 administration of the commissioner's duties, appoint any drivers'
118 school licensed in accordance with the provisions of section 14-69 or
119 any secondary school providing instruction in motor vehicle operation
120 and highway safety in accordance with section 14-36e, as amended by
121 this act, to issue a youth instruction permit, subject to such standards
122 and requirements as the commissioner may prescribe in regulations
123 adopted in accordance with chapter 54. Each youth instruction permit
124 shall expire two years from the date of issuance [,] or on the date the
125 holder of the permit is issued a motor vehicle operator's license, [or on
126 the date the holder attains the age of eighteen years,] whichever is
127 earlier. Any holder of a youth instruction permit who attains eighteen
128 years of age may retain such permit until the expiration of such permit.
129 (2) The youth instruction permit shall entitle the holder, while such
130 holder has the permit in his or her immediate possession, to operate a
131 motor vehicle on the public highways, provided such holder is under
132 the instruction of, and accompanied by, a person who holds an
133 instructor's license issued under the provisions of section 14-73 or a
134 person twenty years of age or older who has been licensed to operate,
135 for at least four years preceding the instruction, a motor vehicle of the
136 same class as the motor vehicle being operated and who has not had
137 his or her motor vehicle operator's license suspended by the
138 commissioner during the four-year period preceding the instruction.
139 (3) Unless the holder of the permit is under the instruction of and
140 accompanied by a person who holds an instructor's license issued
141 under the provisions of section 14-73, no passenger in addition to the
142 person providing instruction shall be transported unless such
143 passenger is a parent or legal guardian of the holder of the permit. (4)
144 The holder of a youth instruction permit who (A) is an active member

145 of a certified ambulance service, as defined in section 19a-175, (B) has
146 commenced an emergency vehicle operator's course that conforms to
147 the national standard curriculum developed by the United States
148 Department of Transportation, and (C) has had state and national
149 criminal history records checks conducted by the certified ambulance
150 service or by the municipality in which such ambulance service is
151 provided, shall be exempt from the provisions of subdivisions (2) and
152 (3) of this subsection only when such holder is en route to or from the
153 location of the ambulance for purposes of responding to an emergency
154 call. (5) The commissioner may revoke any youth instruction permit
155 used in violation of the limitations imposed by subdivision (2) or (3) of
156 this subsection.

157 Sec. 3. Subsection (h) of section 14-36a of the general statutes is
158 repealed and the following is substituted in lieu thereof (*Effective from*
159 *passage*):

160 (h) The revocation, suspension or withdrawal of, or refusal to issue
161 or renew an "S" endorsement, or any endorsement described in
162 subsection (c) of this section, shall prohibit the licensee from operating
163 any public [service] passenger vehicle for which [a public passenger
164 endorsement] an endorsement described in said subsection (c) is
165 required. [under this section.] During the period of such revocation,
166 suspension or withdrawal of, or after a refusal to issue or renew an "S"
167 endorsement, or any endorsement described in said subsection (c), [of
168 this section,] the commissioner shall not issue any other public
169 passenger endorsement to such licensee.

170 Sec. 4. Section 14-36e of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective from passage*):

172 [(a) The Department of Motor Vehicles shall prepare for use in all
173 high and other secondary schools a course of study of motor vehicle
174 operation and highway safety.]

175 [(b)] Each local and regional board of education may provide a
176 course of instruction in motor vehicle operation and highway safety on

177 a secondary school level, which course (1) shall consist of not less than
178 thirty clock hours of classroom instruction offered during or after
179 school hours as said board of education, in its discretion, may provide,
180 including instruction of not less than fifteen minutes concerning the
181 responsibilities of an operator of a motor vehicle under subsection (b)
182 of section 14-223 and the penalty for a violation of the provisions of
183 said subsection (b), and (2) may include behind-the-wheel instruction
184 of up to twenty clock hours. Said course shall be open to enrollment by
185 any person between the ages of sixteen and eighteen, inclusive, who is
186 a resident of the town or school district or whose parent, parents or
187 legal guardian owns property taxable in such town or school district.
188 Any such board of education may contract for such behind-the-wheel
189 instruction with a licensed drivers' school.

190 Sec. 5. Subsection (b) of section 14-41 of the general statutes is
191 repealed and the following is substituted in lieu thereof (*Effective July*
192 *1, 2017*):

193 (b) An original operator's license shall expire within a period not
194 exceeding six years following the date of the operator's next birthday.
195 The fee for such license shall be seventy-two dollars. The
196 commissioner may authorize a contractor, including, but not limited
197 to, an automobile club or association, licensed in accordance with the
198 provisions of section 14-67 on or before July 1, 2007, or any [office or
199 department of a] municipality, to issue duplicate licenses and identity
200 cards pursuant to section 14-50a, renew licenses, renew identity cards
201 issued pursuant to section 1-1h and conduct registration transactions
202 at [its office facilities] the office or facilities of such contractors or
203 municipalities. The commissioner may authorize such contractors and
204 municipalities to charge a convenience fee, which shall not exceed five
205 dollars, to each applicant for a license or identity card renewal or
206 duplication, or for a registration transaction.

207 Sec. 6. Section 14-41b of the general statutes is repealed and the
208 following is substituted in lieu thereof (*Effective July 1, 2017*):

209 A Connecticut motor vehicle operator's license held by any person

210 on active duty with the armed forces and absent from this state due to
211 such service shall be valid for [thirty] sixty days following the date on
212 which the license holder is honorably separated from such service, [or
213 returns to this state,] unless the license is suspended, cancelled or
214 revoked as provided by law earlier than such date. The license shall be
215 valid only when in the immediate possession of the license holder and
216 the license holder has his or her discharge or separation papers in his
217 or her immediate possession.

218 Sec. 7. Subsection (a) of section 14-44c of the general statutes is
219 repealed and the following is substituted in lieu thereof (*Effective*
220 *October 1, 2017*):

221 (a) The application for a commercial driver's license or commercial
222 driver's instruction permit, shall include the following:

223 (1) The full name and current mailing and residence address of the
224 person;

225 (2) A physical description of the person, including sex, height and
226 eye color;

227 (3) Date of birth;

228 (4) The applicant's Social Security number;

229 (5) The person's statement, under oath, that such person meets the
230 requirements for qualification contained in 49 CFR 391, as amended; [,
231 or does not expect to operate in interstate or foreign commerce;]

232 (6) The person's statement, under oath, that the type of vehicle in
233 which the person has taken or intends to take the driving skills test is
234 representative of the type of motor vehicle the person operates or
235 intends to operate;

236 (7) The person's statement, under oath, that such person is not
237 subject to disqualification, suspension, revocation or cancellation of
238 operating privileges in any state, and that he or she does not hold an

239 operator's license in any other state;

240 (8) The person's identification of all states in which such person has
241 been licensed to drive any type of motor vehicle during the last ten
242 years, and the person's statement, under oath that he or she does not
243 hold an operator's license in any other state; and

244 (9) The person's signature, and certification of the accuracy and
245 completeness of the application, subject to the penalties of false
246 statement under section 53a-157b. The application shall be
247 accompanied by the fee prescribed in section 14-44h.

248 Sec. 8. Subsection (f) of section 14-44k of the general statutes is
249 repealed and the following is substituted in lieu thereof (*Effective*
250 *October 1, 2017*):

251 (f) In addition to any other penalties provided by law, a person is
252 disqualified from operating a commercial motor vehicle for a period of
253 not less than (1) sixty days if convicted of two serious traffic violations,
254 as defined in section 14-1, or (2) one hundred twenty days if convicted
255 of three serious traffic violations [, committed while operating any
256 motor vehicle] arising from separate incidents occurring within a
257 three-year period (A) while operating a commercial motor vehicle, (B)
258 while operating a noncommercial motor vehicle, provided such
259 violation resulted in a suspension, for any period of time, of such
260 person's class D license, or (C) from any combination of subparagraphs
261 (A) and (B) of this subdivision. The period of any disqualification for a
262 subsequent offense imposed under this subsection shall commence
263 immediately after the period of any other disqualification imposed on
264 such person. The disqualification periods in this subsection shall also
265 apply to convictions under the provisions of law of another state, of
266 offenses deemed by the commissioner to constitute serious traffic
267 violations, as defined in section 14-1.

268 Sec. 9. Subdivision (5) of subsection (b) of section 14-52 of the
269 general statutes is repealed and the following is substituted in lieu
270 thereof (*Effective July 1, 2017*):

271 (5) The commissioner shall assess an administrative fee of [fifty] two
272 hundred dollars against any licensee for failing to provide proof of
273 bond renewal or replacement on or before the date of the expiration of
274 the existing bond. Such fee shall be in addition to the license
275 suspension or revocation penalties and the civil penalties to which the
276 licensee is subject pursuant to section 14-64.

277 Sec. 10. Subsection (c) of section 14-58 of the general statutes is
278 repealed and the following is substituted in lieu thereof (*Effective July*
279 *1, 2017*):

280 (c) Registration certificates issued under the provisions of this
281 section shall not be required to be carried upon such motor vehicles
282 when upon the public highways as required under subsection (a) of
283 section 14-13, except that the licensee shall issue to each person driving
284 such motor vehicle a document indicating that such person is validly
285 entrusted with such vehicle which document shall be carried in the
286 motor vehicle. The commissioner shall determine the form and
287 contents of this document. Legible photostatic copies of such
288 registration certificates may be carried in such vehicles as proof of
289 ownership. The licensee shall furnish financial responsibility
290 satisfactory to the commissioner as defined in section 14-112, provided
291 such financial responsibility shall not be required from a licensee when
292 the commissioner finds that the licensee is of sufficient financial
293 responsibility to meet such legal liability. The commissioner may issue
294 such license upon presentation of evidence of such financial
295 responsibility satisfactory to the commissioner. The commissioner
296 shall assess an administrative fee of [fifty] two hundred dollars against
297 any licensee for failing to provide proof of policy or bond renewal or
298 replacement on or before the expiration date of the existing policy or
299 bond. Such fee shall be in addition to the license suspension or
300 revocation penalties and the civil penalties to which the licensee is
301 subject pursuant to section 14-64.

302 Sec. 11. Subsection (a) of section 14-164c of the general statutes is
303 repealed and the following is substituted in lieu thereof (*Effective July*

304 1, 2017):

305 (a) (1) No person shall fail to maintain in good working order or
306 remove, dismantle or otherwise cause to be inoperative any equipment
307 or feature constituting an operational element of the air pollution
308 control system or mechanism of a motor vehicle required by
309 regulations of the Commissioner of Energy and Environmental
310 Protection to be maintained or on the vehicle. Any such failure to
311 maintain in good working order or removal, dismantling or causing of
312 inoperability shall subject the owner thereof to revocation of
313 registration for such vehicle by the Commissioner of Motor Vehicles
314 unless all parts and equipment constituting elements of air pollution
315 control have been made operable and in good working order within
316 sixty days of notice by said commissioner of such violation. Any such
317 failure shall be considered a failure to comply with the periodic
318 inspection requirements established under subsection (c) of this
319 section. As used in this section, "motor vehicle" has the same meaning
320 as provided in section 14-1.

321 (2) The Commissioner of Motor Vehicles shall not revoke the
322 registration of a motor vehicle pursuant to subdivision (1) of this
323 subsection if such vehicle is subject to the consent decree approved by
324 the United States District Court for the Northern District of California
325 on October 25, 2016, in settlement of Case Number 15-MD-2672-CRB
326 (ISC) entitled "In Re: Volkswagen 'Clean Diesel' Marketing, Sales
327 Practices, and Products Liability Litigation".

328 Sec. 12. Subsection (a) of section 14-171 of the general statutes is
329 repealed and the following is substituted in lieu thereof (*Effective July*
330 *1, 2017*):

331 (a) The application for a certificate of title of a vehicle in this state
332 shall be [made by the owner] on a form prescribed by the
333 commissioner [prescribes and shall contain] and contain information
334 provided by the owner or acquired through one or more databases
335 used by the commissioner. Such application shall include: (1) The
336 name, residence and mail address of the owner; (2) a description of the

337 vehicle including, so far as the following data exists, its make, model,
338 identification number, type of body, the number of cylinders and
339 whether new or used; (3) the mileage reading at the time of
340 application; (4) the date of purchase by the applicant, the name and
341 address of the person from whom the vehicle was acquired and the
342 names and addresses of any lienholders in the order of their priority
343 and the dates of their security agreements and, if a new vehicle, the
344 application shall be accompanied by a manufacturer's or importer's
345 certificate of origin; and (5) any further information the commissioner
346 reasonably requires to identify the vehicle and to enable the
347 commissioner to determine whether the owner is entitled to a
348 certificate of title and the existence or nonexistence of security interests
349 in the vehicle. Such application shall be accompanied by the most
350 recent Connecticut certificate of title for such vehicle, if any, unless the
351 owner submits a statement on a form prescribed by the commissioner,
352 that the title is lost or destroyed or, despite reasonable efforts cannot
353 be located or obtained from the person or firm last known to have
354 possession of such certificate [or] of title.

355 Sec. 13. Section 14-227k of the general statutes is repealed and the
356 following is substituted in lieu thereof (*Effective July 1, 2017*):

357 (a) No person whose right to operate a motor vehicle has been
358 restricted pursuant to an order of the court under subsection (b) of
359 section 14-227j, [or] by the Commissioner of Motor Vehicles [pursuant
360 to subsection (i) of section 14-227a or subsection (i) of section 14-111] or
361 by any provision of law that requires the use of an ignition interlock
362 device, shall (1) request or solicit another person to blow into an
363 ignition interlock device or to start a motor vehicle equipped with an
364 ignition interlock device for the purpose of providing such person with
365 an operable motor vehicle, or (2) operate any motor vehicle not
366 equipped with a functioning ignition interlock device or any motor
367 vehicle that a court has ordered such person not to operate.

368 (b) No person shall tamper with, alter or bypass the operation of an
369 ignition interlock device for the purpose of providing an operable

370 motor vehicle to a person whose right to operate a motor vehicle has
371 been restricted pursuant to an order of the court under subsection (b)
372 of section 14-227j, [or] by the Commissioner of Motor Vehicles
373 [pursuant to subsection (i) of section 14-227a or subsection (i) of section
374 14-111] or by any provision of law that requires the use of an ignition
375 interlock device.

376 (c) (1) Any person who violates any provision of subdivision (1) of
377 subsection (a) or subsection (b) of this section shall be guilty of a class
378 C misdemeanor.

379 (2) Any person who violates any provision of subdivision (2) of
380 subsection (a) of this section shall be subject to the penalties set forth in
381 subsection (c) of section 14-215.

382 (d) Each court shall report each conviction under subsection (a) or
383 (b) of this section to the Commissioner of Motor Vehicles, in
384 accordance with the provisions of section 14-141. The commissioner
385 shall suspend the motor vehicle operator's license or nonresident
386 operating privilege of the person reported as convicted for a period of
387 one year.

388 Sec. 14. Subsection (b) of section 14-275c of the general statutes is
389 repealed and the following is substituted in lieu thereof (*Effective July*
390 *1, 2017*):

391 (b) The commissioner shall adopt regulations, in accordance with
392 the provisions of chapter 54, governing (1) the inspection, registration,
393 operation and maintenance of motor vehicles used by any carrier to
394 transport students, and (2) the licensing of operators of such vehicles.
395 A person who has attained the age of seventy shall be allowed to hold
396 a license endorsement [for the purpose of operating a motor vehicle to
397 transport children requiring special education] to operate a student
398 transportation vehicle provided such person meets the minimum
399 physical requirements set by the commissioner and agrees to submit to
400 a physical examination by a medical examiner, certified in accordance
401 with 49 CFR 390.109, at least annually or more frequently if directed to

402 do so by such medical examiner or the superintendent of the school
403 system in which such person intends to operate such vehicle.

404 Sec. 15. Subsection (b) of section 54-56p of the general statutes is
405 repealed and the following is substituted in lieu thereof (*Effective*
406 *October 1, 2017*):

407 (b) This section shall not be applicable to any person (1) who, at the
408 time of the motor vehicle violation, holds a commercial driver's license
409 or commercial driver's instruction permit or is operating a commercial
410 motor vehicle, as defined in section 14-1, or (2) charged with a motor
411 vehicle violation causing serious injury or death, a motor vehicle
412 violation classified as a felony unless good cause is shown, or a
413 violation of section 14-227a, [or] 14-227g or 14-296aa.

414 Sec. 16. Subsection (a) of section 14-280 of the general statutes is
415 repealed and the following is substituted in lieu thereof (*Effective July*
416 *1, 2017*):

417 (a) (1) When a school bus is used for any purpose other than the
418 transportation of children to and from schools or school activities,
419 private or public camps or any other activities for which groups of
420 children are transported, the special signals normally used when so
421 engaged shall be left unused or disconnected.

422 (2) Any student transportation vehicle when engaged in the
423 transportation of children to and from private or public camps or the
424 transportation exclusively of children to activities, except school
425 activities, may display a sign or signs, as described in subsection (b) of
426 this section. Any motor vehicle, other than a registered school bus, not
427 owned by a public, private or religious school, or under contract to
428 such school, when engaged in the transportation of school children to
429 and from school or school activities, may display a sign or signs, as
430 described in subsection (b) of this section.

431 (3) Any student transportation vehicle, when engaged in the
432 transportation of school children to and from school or school

433 activities, shall display a sign or signs, as described in subsection (b) of
 434 this section, except a student transportation vehicle, when engaged in
 435 the transportation of students aged eighteen to twenty-one, inclusive,
 436 who, as part of an individualized education program, are participating
 437 in community-based transition services, may display a sign or signs, as
 438 described in subsection (b) of this section.

439 (4) Any portable signs, as described in subsection (b) of this section,
 440 that are permitted or required under this section may be removed or
 441 covered when the vehicle is not being used for the purposes requiring
 442 or allowing the use of such signs as specified in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	14-29
Sec. 2	<i>from passage</i>	14-36(c)
Sec. 3	<i>from passage</i>	14-36a(h)
Sec. 4	<i>from passage</i>	14-36e
Sec. 5	<i>July 1, 2017</i>	14-41(b)
Sec. 6	<i>July 1, 2017</i>	14-41b
Sec. 7	<i>October 1, 2017</i>	14-44c(a)
Sec. 8	<i>October 1, 2017</i>	14-44k(f)
Sec. 9	<i>July 1, 2017</i>	14-52(b)(5)
Sec. 10	<i>July 1, 2017</i>	14-58(c)
Sec. 11	<i>July 1, 2017</i>	14-164c(a)
Sec. 12	<i>July 1, 2017</i>	14-171(a)
Sec. 13	<i>July 1, 2017</i>	14-227k
Sec. 14	<i>July 1, 2017</i>	14-275c(b)
Sec. 15	<i>October 1, 2017</i>	54-56p(b)
Sec. 16	<i>July 1, 2017</i>	14-280(a)

Statement of Legislative Commissioners:

In Section 2, "in another" was changed to "outside of this" for accuracy.

TRA *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Department of Motor Vehicles	TF - Revenue Gain	Potential Minimal	Potential Minimal
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Precludes Revenue Loss	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

Section 2 eliminates the requirement that a youth instruction permit expires when the holder turns 18 which does not result in a fiscal impact as it codifies current practice.

Sections 9-10 increase the fine related to car dealers and repairers from \$50 to \$200 for failure to provide proof of policy or bond renewal before the expiration date. This is anticipated to result a revenue gain to the Department of Motor Vehicles (DMV) dependent on the number of individuals who violate this provision of the bill.

Section 11 implements provisions necessary to receive funds from the Environmental Mitigation Trust Fund established as part of the settlement under "In Re: Volkswagen 'Clean Diesel' Marketing, Sales, and Products Liability Litigation." This precludes a General Fund revenue loss of up to \$15 million.

Section 15 precludes the court from granting eligibility to the diversion program for young persons to drivers who hold a commercial driver's license (CDL) and are charged with certain crimes. Instead these offenders will receive a criminal fine and probation or incarceration. To the extent that offenders are prosecuted for offenses under this bill, potential costs for incarceration or probation supervision in the community, or judicial revenue would result. On average, it costs the state \$7,260 (including benefits) to supervise an inmate in the community as opposed to \$61,320 (including benefits) to incarcerate an offender.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 850**

AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES REGARDING INSURANCE POLICIES FOR CERTAIN VEHICLES, YOUTH INSTRUCTION PERMITS, OPERATOR LICENSES, COMMERCIAL MOTOR VEHICLE OPERATION, ADMINISTRATIVE FEES, DIVERSION PROGRAM, STUDENT TRANSPORTATION VEHICLES AND OTHER CHANGES TO THE MOTOR VEHICLE STATUTES.

SUMMARY

This bill makes a number of changes related to the motor vehicle statutes. Among other things, it:

1. increases the fine for dealers and repairers who do not submit proof of bond or insurance renewal by the due date (§§ 9 & 10),
2. prohibits entities from issuing insurance or bonds to certain passenger vehicles that do not meet the law's minimum requirements (§ 1),
3. prohibits DMV from revoking the registration of vehicles subject to the Volkswagen settlement (§ 11),
4. prohibits a court from ordering commercial driver's license (CDL) holders or people convicted of using a handheld cellphone while driving from attending a diversionary program (§ 15),
5. makes displaying a "carrying school children sign" optional for student transportation vehicles (STVs) carrying school children participating in transitional programs (§ 16),
6. changes the expiration of youth instruction permits and certain armed forces members' driver's licenses (§§ 2 & 6),

7. eliminates a requirement that DMV prepare a driving safety course for use in high schools (§ 4), and
8. makes minor changes related to title applications (§ 12) and ignition interlock devices (§ 13).

Finally, the bill makes technical and conforming changes (§§ 3, 5, 7 & 14).

EFFECTIVE DATE: July 1, 2017, unless otherwise noted below.

§ 1 — INSURANCE POLICIES FOR CERTAIN PASSENGER TRANSPORTATION VEHICLES

The bill prohibits entities from issuing insurance policies or indemnity bonds for motor buses, taxis, livery vehicles, student transportation vehicles, or service buses that do not meet the law's minimum coverage requirements. It allows DMV, when registering these vehicles, to assume that such a policy or bond meets those minimums.

EFFECTIVE DATE: October 1, 2017

§ 2 — YOUTH INSTRUCTION PERMIT EXPIRATION

Under current law, a youth instruction permit expires (1) two years after it is issued, (2) on the day the holder is issued a driver's license, or (3) on the day the holder turns age 18, whichever is earliest. Under the bill, an instruction permit no longer expires when the holder turns age 18, and the holder retains the permit until it otherwise expires under (1) or (2).

EFFECTIVE DATE: Upon passage

§ 4 — MOTOR VEHICLE SAFETY COURSE IN HIGH SCHOOLS

The law allows local and regional school boards to provide a motor vehicle safety class on a secondary school level that meets the law's requirements. The bill eliminates a requirement that DMV prepare a course of study for use in these classes.

EFFECTIVE DATE: Upon passage

§ 6 — LICENSE RENEWAL BY ACTIVE DUTY ARMED SERVICE MEMBERS

Under current law, a Connecticut driver's license held by an active-duty armed services member who was out-of-state because of such service is valid, with certain exceptions, for 30 days after the date the holder (1) is honorably separated from the service or (2) returns to the state. Under the bill, such a license is instead valid for 60 days after the holder is validly separated from the service, regardless of when he or she returns to the state.

§ 8 — CDL DISQUALIFICATION FOR TRAFFIC VIOLATIONS

Under current law, a person is temporarily disqualified from operating a commercial motor vehicle (1) for 60 days if he or she is convicted of two serious traffic violations or (2) for 120 days if he or she is convicted of three serious traffic violations committed while operating any motor vehicle.

Under the bill, the 120-day disqualification applies if those violations were committed (1) while operating a commercial motor vehicle; (2) while operating a noncommercial vehicle, if the violation resulted in a person's class D license being suspended for any period of time; or (3) any combination of (1) and (2).

EFFECTIVE DATE: October 1, 2017

§§ 9 & 10 — PROOF OF DEALER BOND RENEWAL

By law, car dealers and repairers must maintain cash or surety bonds and insurance for their vehicles in the amounts the law requires. The bill increases, from \$50 to \$200, the fine for failing to provide proof of policy or bond renewal before the existing bond or policy expires.

§ 11 — VOLKSWAGEN SETTLEMENT PROVISION

The bill prohibits DMV from revoking a vehicle's registration if it is subject to the consent decree approved by the U.S. District Court for the Northern District of California on October 25, 2016, in settlement of

the case entitled “In Re: Volkswagen ‘Clean Diesel’ Marketing, Sales, and Products Liability Litigation.” States are required to implement this provision in order to receive funds from the Environmental Mitigation Trust that is part of the settlement.

§ 12 —TITLE APPLICATIONS

The bill allows applications for certificates of title to be filled out by the owner or automatically populated using information from DMV’s databases. Under current law, the application must be filled out by the owner and cannot be automatically populated from a database.

§ 13 — IGNITION INTERLOCK DEVICES

Current law prohibits a person required by a court order or by the DMV commissioner under certain provisions of the law to use an ignition interlock device (IID) from (1) asking someone else to blow into the IID in order to allow the person to operate the vehicle or (2) driving a vehicle that does not have an IID or that the court has ordered the person not to operate. It also prohibits a person from tampering with, altering, or bypassing the IID in order to allow a person who is required to use an IID to operate the vehicle.

The bill specifies that these prohibitions apply to anyone whose right to operate a motor vehicle is restricted by any law that requires the use of IIDs.

§ 15 — CDL HOLDERS AND DIVERSION PROGRAM FOR PEOPLE UNDER AGE 21

Under current law, a person under age 21 who has been convicted of certain alcohol-related or traffic offenses may be required by a court to attend a diversionary program and have his or her charges dismissed upon completion of the program.

Under the bill, the program is not available to anyone (1) charged with using a handheld cellphone while driving or (2) who, at the time of the violation, holds a commercial driver’s license or instruction permit or is operating a commercial motor vehicle. These changes are required in order to (1) receive federal grants and (2) comply with

federal law.

§ 16 — COMMUNITY-BASED TRANSITION PROGRAM SIGNS AND STVS

Under current law, STVs must display a sign that reads “Carrying School Children” and meets other established specifications at all times when transporting school children to or from school or school activities. The bill exempts from this requirement any STV that transports students who are between ages 18 and 21 and are participating in community-based transition services as part of an individualized education program.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 35 Nay 0 (03/17/2017)